

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BROADWAY RIVERDALE MEAT MARKET CORP. and
GUSTAVO A. ROSARIO

08 CV 03319

Plaintiffs,

**AFFIRMATION OF
SERVICE**

-against-

THE UNITED STATES OF AMERICA, THE UNITED
STATES DEPARTMENT OF AGRICULTURE, and ED
SCHAFER, SECRETARY OF AGRICULTURE,

Defendants.

I, MARK H. WILKOW, ESQ., an attorney duly admitted to practice before the United States District Court for the Southern District of New York, declare under penalty of perjury that I have served a copy of the attached Summons In A Civil Action and Complaint upon

Mr. Ed Schafer Sec. of Agriculture, USDA Whitten Building 1400 Independence Ave, SW Washington, DC 20250	US Dept. of Agriculture Whitten Building 1400 Independence Ave, SW Washington, DC 20250	US Attorney, SDNY Civil Process Clerk 86 Chambers Street New York, NY 10007
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Mr. Michael Mukasey
US Attorney General
US Dept. of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

by Certified Mail, Return Receipt Requested pursuant to the requirements of the Federal Rules of Civil Procedure, Rule 4 (i) (1) and (2). See attached Postage Transaction Records and Proof of Delivery.

Dated: July 9, 2008
Jericho, New York

The Law Office of Mark H. Wilkow
Attorney for Defendants
99 Jericho Turnpike, Suite 303
Jericho, New York 11753
516-876-0720

JUDGE LYNCH

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Broadway Riverdale Meat Market Corp and
Gustavo A. Rosario

v.
The United States of America; The United States
Department of Agriculture and Ed Schafer,
Secretary of Agriculture

SUMMONS IN A CIVIL ACTION

08 CV 93319

CASE NUMBER:

TO: (Name and address of Defendant)

Mr. Ed Schafer, Secretary of Agriculture, United States Department of
Agriculture, Whitten Building, 1400 Independence Avenue S.W.,
Washington, D.C. 20250

The United States Attorney's Office, Mr. Michael Garcia, 86 Chambers
Street, New York, New York 10007

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

The Law Offices of Mark H. Wilkow
99 Jericho Turnpike, Suite 303
Jericho, New York 11753

an answer to the complaint which is served on you with this summons, within 20 days after service
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you
for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the
Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

J. Michael McMahon

(By) DEPUTY CLERK

DATE

4/3/2008

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE	July 9, 2008
NAME OF SERVER (<i>PRINT</i>)	Mark H. Wilkow, Esq.	
TITLE	Attorney for Plaintiff	

Check one box below to indicate appropriate method of service

- Served personally upon the defendant. Place where served:
- Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- Returned unexecuted:

Other (specify): By certified mail, return receipt requested, pursuant to the Federal Rules of Civil Procedure, Rul 4 (i) 1 & 2

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
		\$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

July 9, 2008

Executed on _____

Date

Signature of Server

99 Jericho Turnpike, Suite 303
Jericho, New York 11753

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.